

ATTORNEY'S DOCKET NO: 24563

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: <u>05</u> December 2001 ( <u>05</u> 12.2001)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. <u>097980619</u> Not Yet Assigned
INTERNATIONAL APPLICATION NO.: PCT/JP01/03126	INTERNATIONAL FILING DATE: 11 April 2001 (11.04.01)	PRIORITY DATE CLAIMED: 12 April 2000 (12.04.00) 29 March 2001 (29.03.01)
TITLE OF INVENTION: DATA BACKUP AND RECOVERY SYSTEM		
APPLICANT(S) FOR DO/EO/US: TAMATSU, Masaharu		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <u>X</u> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <u>  </u> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <u>X</u> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <u>  </u> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <u>X</u> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p style="margin-left: 40px;">a. <u>X</u> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <u>  </u> has been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <u>  </u> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <u>X</u> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <u>X</u> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 40px;">a. <u>  </u> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <u>  </u> have been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <u>  </u> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 40px;">d. <u>X</u> have not been made and will not be made.</p> <p>8. <u>  </u> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <u>  </u> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <u>  </u> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <p>11. <u>  </u> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <u>  </u> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <u>  </u> A <b>FIRST</b> preliminary amendment.</p> <p>14. <u>  </u> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</p> <p>15. <u>  </u> A substitute specification.</p> <p>16. <u>  </u> A change of power of attorney and/or address letter.</p> <p>17. <u>  </u> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <u>  </u> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <u>  </u> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <u>X</u> Other items or information:</p> <p>TRANSMITTAL FORM; FEE CALCULATION; PCT/IB/308 NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES; INTERNATIONAL PUBLICATION WO 01/77835 (IN JAPANESE); INTERNATIONAL PUBLICATION DATE 18 OCTOBER 2001 CONSISTING OF 71 PAGES INCLUDING; 2 COVER SHEETS CONTAINING THE ABSTRACT; 50 PAGES TEXTUAL SPECIFICATION, 10 PAGES OF 33 CLAIMS; 9 SHEETS DRAWINGS; PCT/ISA/210 INTERNATIONAL SEARCH REPORT (IN JAPANESE AND ENGLISH); ENGLISH TRANSLATION OF APPLICATION CONSISTING OF 69 PAGES INCLUDING 46 PAGES TEXTUAL SPECIFICATION; 13 PAGES OF 33 CLAIMS; 1 PAGE CONTAINING THE ABSTRACT OF THE DISCLOSURE; 9 SHEETS OF DRAWINGS; UNEXECUTED INVENTOR'S DECLARATION; PCT/RO/101 REQUEST FORM (IN JAPANESE).</p>		

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17. <u>x</u> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5):</b> Search Report has been prepared by the EPO or JPO:.....\$890.00  International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$710.00  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$740.00  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1040.00  International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 100.00  <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	<u>CALCULATIONS</u>  \$890.00         \$ 890.00	<u>PTO USE ONLY</u>
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Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <u>  </u> 20 <u>  </u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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CLAIMS	NO. FILED	NO. EXTRA	RATE		
TOTAL	33 -20=	13	X \$ 18.00	\$	234.00
INDEPENDENT	3 - 3=	0	X \$ 84.00	\$	0.00
Multiple dependent claims(s) (if applicable)			+ \$280.00	\$	0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	1,124.00
Reduction by 1/2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$	562.00
<b>SUBTOTAL =</b>				\$	562.00
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <u>  </u> 20 <u>  </u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00
<b>TOTAL NATIONAL FEE =</b>				\$	562.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <div style="text-align: right;"><b>\$40.00 per property +</b></div>				\$	0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	562.00
				Amount to be. refunded	\$
				_____ charged	\$

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a. ☒ One check in the amount of \$562.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.

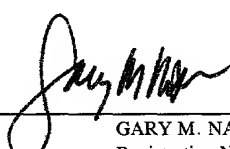
d. Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form. ☐ Provide credit card information and authorization on PTO-2038 ☐

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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